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SUBJECT: KENYAN OPPOSITION POLITICS: DEAL OR NO DEAL?

REF: NAIROBI 1439

Classified By: Political Counselor Larry Andre for reasons 1.4 (b,d).

**¶1.** (C) SUMMARY: Uncertainty and mistrust endure within the opposition coalition. While the Orange Democratic Movement-Kenya (ODM-K) continues to struggle with its presidential nomination process, it is increasingly clear that back-room deals will be made, egos will be bruised, and ODM-K leaders may part company. END SUMMARY.

**¶2.** (C) Opposition presidential front-runner Kalonzo Musyoka and MP Kiema Kilonzo (a close confidant and supporter from Musyoka's ethnic Kamba community) shared insights with poloff on developments in opposition politics and Musyoka's presidential bid. Both men alleged the Kibaki government is concerned by the re-election challenge posed by Musyoka's potential candidacy. Kiema described a potentially destructive power struggle within the opposition ODM-K, in particular between Raila Odinga and Musyoka.

Thwarting Musyoka?

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**¶3.** (U) On June 4, the Daily Nation reported that police barred Musyoka from addressing rallies in Rift Valley Province over the weekend. According to the report, the police prevented Musyoka from speaking to his supporters in two locations and confiscated his vehicle, on which a public address system was mounted. Kenyan law requires that anyone wishing to conduct a public gathering must notify the police.

The police can deny the application in the interest of public safety. The head of police for Bomet district told the Nation that Musyoka had not given proper notice.

**¶4.** (C) Speaking to poloff on June 4, Musyoka was initially indignant at what he called government harassment ("I was not a security risk," he said), but did concede that perhaps his people on the ground had dropped the ball regarding the required police notice. Musyoka explained he addressed a church congregation earlier in the day and that officials were aware of his presence in the area. His supporters had filed the appropriate paperwork in accordance with the "Police Commissioner's ridiculous rules," and were assured Musyoka could proceed. However, they might have been "careless on the timing," he admitted. Commenting on the incident, Kiema told poloff Musyoka was similarly shut down the week before in Meru.

Who Can It Be Now?

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¶ 15. (C) Kiema Kilonzo, a close-friend and first time MP sponsored by Musyoka, emphasized what opinion poll results amply demonstrate: that Musyoka is the only opposition candidate that can challenge Kibaki. Kiema was therefore disappointed that faced with the numbers, Odinga remained obstinate. In fact, Kiema noted, ODM-K's Council of Elders, appointed to analyze each candidate's prospects, and suggest the one most likely to be successful, had also concluded that the nominee should be Musyoka. Odinga, Kiema added, is completely unwilling to consider power-sharing with Musyoka. Odinga told the Council he would select KANU vice-chairman Henry Kosgey as his Prime Minister (a position not yet on the books and requiring constitutional amendment), whereas Musyoka would bring in all of ODM-K's leaders, naming Odinga as PM, William Ruto as Vice President, Mudavadi as Deputy PM, and giving "something ceremonial" to Uhuru Kenyatta.

¶ 16. (C) With neither Musyoka or Odinga willing to step aside for the other, either Odinga and Musyoka agree on former Vice President Musalia Mudavadi as a compromise candidate (reftel) or each goes their own way, Kiema said. Either way, Kibaki wins. "Mudavadi can never win," Kiema declared; "we might as well pack-up." A split opposition cannot beat the President. Not surprisingly, he concluded that the only way for the opposition to take State House is if all ODM-K leaders back Musyoka. Kiema denied the rumor that Musyoka would join forces with Kibaki if he does not get the ODM-K nomination. However, Kiema did float an unexpected third option: Kenyatta.

¶ 17. (C) Kenyatta, who is currently facing challenges for leadership of his own KANU party over its alliance with ODM-K and may not even keep his Gatundu South (Central Province) parliamentary seat, is the one candidate who can take enough of the "eastern" half of Kenya away from Kibaki to win, Kiema explained. The western side (Nyanza, Western, and Rift Valley provinces), will be easily ODM-K's, Kiema added.

¶ 18. (C) ODM-K is getting a lucky break from pro-government NARC-Kenya's own confusion. NARC-K recently concluded its "grass roots elections" but its leadership was criticized for not electing top officers which remain the self-selected Foreign Minister Raphael Tuju and Vice President Moody Awori. Many NARC-K polls were chaotic with protests over sitting MPs (all formerly from other parties) rigging the process in their favor.

Comment: Race to the Confused Bottom

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¶ 19. (C) Six months to the election, Kenyan voters still have no certain idea (although in all likelihood NARC-K will nominate Kibaki) who will be the presidential candidates from the main parties. ODM-K's latest claim is that the nomination will be made by the end of June. It looks increasingly likely that this will be the result of back-room deals (as opposed to a delegates' conference) in which more than one ego will be bruised, and which may result in Odinga and Musyoka parting company. The net effect of that would be, in Kiema's words, "a walk to State House for Kibaki."

RANNEBERGER